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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Robert A. Vito

Application No.: 09/783,774

Confirmation No.: 2262

Filed: February 15, 2001

For: ANTI-THEFT BRAKE LOCKING
DEVICE

Group: 3676

Examiner: Barrett, Suzanne Lale Dino

Our File: VIT-PT034RE

Date: April 4, 2003

PETITION PURSUANT 37 C.F.R. § 1.181

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant respectfully submits this Petition to request that the attached Amendment be entered into Applicant's file. This Amendment is submitted with a Petition for a one month extension of time which would make the Amendment timely.

Applicant respectfully submits that the submission of this Petition is proper because the question of whether to enter this Amendment is not subject to appeal to the Board of Patent Appeals and Interferences or the court.

Applicant respectfully requests that this Amendment be entered in Applicant's application. All claims in this reissue application have tentatively been allowed pending the correction of formal matters identified by the Examiner. The attached Amendment corrects those matters.

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Applicant: Robert A. Vito
Application No.: 09/783,774

This amendment is filed in response to an Office Action, dated December 4, 2002 (Paper No. 13), in which the Examiner set a three month shortened statutory period for response which expired on March 4, 2003. Due to the related litigation status of the reissue application, the Office Action stated that Extensions of Time under the provisions of 37 C.F.R. § 1.136 (a) would not be permitted.


This application was transferred to the undersigned on January 31, 2003 from another law firm. When this application was entered into our docketing system, the undersigned and our docketing staff unintentionally failed to notice that Extensions of Time under 37 C.F.R. § 1.1.36(a) were not permitted. This error was discovered on April 1, 2003 by the undersigned. Immediately upon discovery, the undersigned prepared the necessary Reply for submission with this Petition. The undersigned's authority to act on behalf of Applicant is established by the declaration attached to the Amendment.

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If any additional information is needed to rule on this Petition, the Commissioner is respectfully invited to contact the undersigned, by telephone, at his convenience.

Respectfully submitted,

Robert A. Vito

By 
Ruy M. Garcia-Zamor
Registration No. 44,117
(215) 568-6400

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103

RGZ/djw